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United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

VINCENT KAMYAR VAGHAR,

v.

DAVID J. KILLIAN; ANTHONY M. MAROTTA; and  
ROSA COURT, LLC, a New Jersey limited liability  
company,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

C 07 4083

TO: (Name and address of defendant)

DAVID J. KILLIAN, 2406 S. Lambert Street, Philadelphia, PA 19145-4212

ANTHONY M. MAROTTA, 901 Route 168, Ste. 203, Blackwood, NJ 08012-3203

ROSA COURT, LLC, a New Jersey limited liability company, c/o John A. Calzaretto  
459 Route 38 W  
Maple Shade, NJ 08052-2060

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

RICHARD J. MOONEY (CSB# 176486)

KYLE L. SCHRINER (CSB# 215853)

HOLME ROBERTS & OWEN LLP Phone: (415) 268-2000

560 Mission Street, 25<sup>th</sup> Floor Facsimile: (415) 268-1999

San Francisco, CA 94105-2994

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wiekling

CLERK

DATE AUG 8 2007

ANNA SPRINKLES

(BY) DEPUTY CLERK

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>  
 \*\*According to Civ. Proc. Rule 5, other papers were served by me. See Att. A.

DATE

8.15.07 1:47 PM

Name of SERVER

TITLE

Moussa Diarrassouba

Check one box below to indicate appropriate method of service

Served Personally upon the Defendant. Place where served:

Rosa Court Development on the corner  
 of Federal Street and Juniper in Philadelphia, PA.

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

8.15.07  
 Date

Signature of Server

Moussa Diarrassouba  
 816 West Market 1st Floor  
 Address of Server Perkasie PA 18944

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Attachment A.

In addition to the summons and complaint, the following papers were also served by me:

1. Civil Cover Sheet;
2. First Amended Complaint for Breach of Contract (Demand for Jury Trial) and Exhibit A;
3. Court Guidelines;
4. Order Setting Initial Case Management Conference and ADR Deadlines;
5. Standing Order of Magistrate Judge Elizabeth D. Laporte;
6. Standing Order re Case Management Conference of Magistrate Judge Elizabeth D. Laporte;
7. Standing Order for All Judges of the Northern District of California, Contents of Joint Case Management Statement;
8. Notice of Assignment of Case to a United States Magistrate Judge for Trial;
9. Form Consent to Proceed Before a United States Magistrate Judge;
10. Form Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge; and
11. ECF Registration Information Handout for U.S. District Court Northern California